IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTIETH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 8485 of 2004

Between:

1 Umashankar Rice working company, Rep. by its Managing Partner, Ayinavolu Sri Rama Murthy.
Rice Mills at Sattullur village, Nadendla Mandal, Guntur district.
2 Venkata Lakshmi Rice working company, Rep. by its Managing Partner, Kanamaralapudi Suryanarayana.
Rice Mills at Sattullur village, Nadendla Mandal, Guntur district.
3 Vijaya Krishna Rice working company Rep. by its Managing Partner, Inavolu Gandhi, Koteswara Rao.
Rice Mills at Sattullur village, Nadendla Mandal, Guntur district.
4 Varalakshmi Modern Rice Mills, Rep. by its Managing Partner, Inavolu Krishna Rao
Rice Mills at Sattullur village, Nadendla Mandal, Guntur district.
5 Varaganapathi Modern Rice Mill, Rep. by its Managing Partner, Invaolu Badraiah.
Rice Mills at Sattullur village, Nadendla Mandal, Guntur district.
6 Venkateswara Rice Traders, Rep. by its Managing Partner, Bayyana Vijaya Babu.
Rice Mills at Sattullur village, Nadendla Mandal, Guntur district.
7 Vasundhara Rice Traders, Rep. by its Partner, BAyyana Venkata Mohana Rao.
Rice Mills at Sattullur village, Nadendla Mandal, Guntur district.
8 Vijaya Lakshmi Rice working company Rep. by its Managing Partner, Inavolu Nageswara Rao.
Rice Mills at Sattullur village, Nadendla Mandal, Guntur district.
9 Vigneswara Rice Traders, rep. by its Managing Partner, Inavolu Gopala Rao
Rice Mills at Sattullur village, Nadendla Mandal, Guntur district.
10 Sri Rama Ramana Rice Mill, Rep. by its Managing Partner, Bayyana Veeravenkata Hanumantha Rao
Rice Mills at Sattullur village, Nadendla Mandal, Guntur district.

..... PETITIONERS

AND

1 Govt. of A.P. rep. by its Secretary, Law & Legislative Affairs, Secretariat Bldgs, Hyderabad.
2 The Govt. of A.P. rep. by its Secretary Food & Agriculture (Marketing) Department Secretariat, Hyderabad.
3 The Director of Marketing Govt. of A.P. Hyderabad.
4 The Secretary, Agricultural Market Committee, Chilakaluripet, Guntur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more particularly one in the nature of Writ of Mandamus declaring that "RICE" is not "Notified agricultural produce" within the meaning of A.P. (Agricultural Produce and Live Stocks) Markets Act, 1966 and the collection of Market fee from Rice Miller-Sellers in Respect of rice Sold to their party purchasers without notice, enquiry and on the basis of Circular of 3rd respondent unit No. V(1)/349/2002, dated 8-7-2002 by misuse of check-posts for the said purpose is illegal and without jurisdiction.

Counsel for the Petitioners: MR.S.VENKATESWARA REDDY

Counsel for the Respondents No.1 to 3: GP FOR AGRICULTURE

Counsel for the Respondent No.4: Mr. POSANI VENKATESHWARLU

The Court made the following:

Oral order:

In view of the judgment of the Division Bench of this Court dated 21-12-2004 in W.P.No. 18977 of 2002 and batch, the writ petition is dismissed. No costs.

GODA RAGHURAM, J

Dt. 20-01-2005

Pvks/*

To

1. The Secretary, Law & Legislative Affairs, Govt. of A.P., Secretariat Bldgs, Hyderabad, along with copy of judgment in W.P.No. 18977 of 2002 and batch dated 21-12-2004.
2 The Secretary Food & Agriculture (Marketing) Department, Govt. of A.P. Secretariat, Hyderabad, along with copy of judgment in W.P.No. 18977 of 2002 and batch dated 21-12-2004.
3 The Director of Marketing Govt. of A.P. Hyderabad, along with copy of judgment in W.P.No. 18977 of 2002 and batch dated 21-12-2004.
4 The Secretary, Agricultural Market Committee, Chilakaluripet, Guntur District, along with copy of judgment in W.P.No. 18977 of 2002 and batch dated 21-12-2004.

5.2CCs to the Government Pleader for Agriculture, A.P. High Court Buildings, Hyderabad (OPUC), along with copy of judgment in W.P.No. 18977 of 2002 and batch dated 21-12-2004.

6.2CD copies, along with copy of judgment in W.P.No. 18977 of 2002 and batch dated 21-12-2004.

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